

REMARKS

Claims 9-11 were objected to because of the lack of antecedent for the limitation of “selectable sized hole”. The offending language has been removed from the claims.

Claims 1, 2, 12 and 13 were rejected under 35 USC 102(b) as being anticipated by Kozlov et al (PN 6,160,828).

Claims 4-7 were rejected under 35 USC 103(a) as being unpatentable over Kozlov et al (PN 6,160,828) as applied to claim 1 above and in view of Garnache et al (PN 6,611,546).

Claims 8-11 were rejected under 35 USC 103(a) as being unpatentable over Kozlov et al (PN 6,160,828) as applied to claim 1 above and in view of Shoshan (PN 4,731,788).

Claims 14 was rejected under 35 USC 103(a) as being unpatentable over Kozlov et al (PN 6,160,828) as applied to claim 1 above and in view of Kahen et al (US 6,876,684)

Claims 20-22 were rejected under 35 USC 103(a) as being unpatentable over Kozlov et al (PN 6,160,828) as applied to claim 1 above and in view of Craig et al (US 5,761,234)

Claim 23 was rejected under 35 USC 103(a) as being unpatentable over Kozlov et al (PN 6,160,828) in view of Cowan et al (PN 4,469,407).

Claim 24 was rejected under 35 USC 103(a) as being unpatentable over Kozlov et al (PN 6,160,828) in view of Laurell (US 6,259,711).

Claims 13-14 are cancelled.

Reconsideration and allowance of the pending claims is requested for the following reasons. Independent claim 1 has been amended to emphasize the periodic structural features of the organic active region in the present invention. The periodic gain regions of the Applicants' invention provide high efficiency from the laser cavity by significantly reducing the lasing threshold needed as compared to the cited art, including Kozlov '828. Support for the

amendment is found in Applicants' specification with reference to figures 4, 6, and 7 that explicitly show the periodic gain regions 72 and organic spacer layers 74.

Specifically with respect to Kozlov '828 there is no disclosure of using periodic gain regions that are aligned with a light source's standing wave electromagnetic field as now claimed by the Applicants. Consequently, independent claim 1 is novel, because at least one of the Applicants' claimed features is not present in Kozlov '828, as noted by the examiner in his comments regarding the original claim 14. Applicants, therefore, respectfully request that the Examiner reconsider and withdraw the rejection of the claims under 35 U.S.C. 102(b).

Regarding Kozlov '828 in combination with Garnache '546, or Shoshan '788, or Kahen '684, or Craig '234, or Cowan '407, or Laurell '711 it still remains that one of Applicants' features is missing in the cited combination. Accordingly, there is no prima facie case for the rejection under 35 U.S.C. 103(c). Specifically, regarding the features claimed in original claim 14, which are now found in amended claim 1, the cited reference of Kahen '684 is not available as 35 USC 102(e) prior art pursuant to 35 USC 103(c), because Kahen '684, the subject application, and the parent application (10/272,611, filed October 16, 2002) were commonly assigned or under an obligation to assign to the common assignee, Eastman Kodak Company, at the time the invention of the subject application was made.

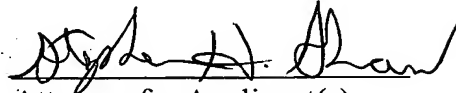
Furthermore, there is no motivation for the cited combinations, because Kozlov et al. teaches away from the claimed features in the present invention in that Kozlov incorporates in his device material that will perform as an electrode, but that reduces efficiency and increases loss of energy, because of the high temperature needed to adhere the material to the organic active region, for example, indium tin oxide (ITO). For the earlier cited reasons, it is believed that the claims rejected under 35 U.S.C. are unobvious in light of any combination involving Kozlov et al.

In view of the foregoing, it is believed none of the references, taken singly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance.

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, please telephone the undersigned counsel to discuss the proposed amendments.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company Deposit Account No. 05-0225.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Stephen H. Shaw", written over a horizontal line.

Attorney for Applicant(s)
Registration No. 45,404

Stephen H. Shaw/set
Rochester, NY 14650
Telephone: 585-477-7419
Facsimile: 585-477-4646

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.